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FM AMEMBASSY HARARE
TO RUEHC/SECSTATE WASHDC PRIORITY 0165
INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
RUEHUJA/AMEMBASSY ABUJA 1225
RUEHAR/AMEMBASSY ACCRA 1061
RUEHDS/AMEMBASSY ADDIS ABABA 1231
RUEHBY/AMEMBASSY CANBERRA 0489
RUEHDK/AMEMBASSY DAKAR 0855
RUEHKM/AMEMBASSY KAMPALA 1282
RUEHNR/AMEMBASSY NAIROBI 3654
RUEHFR/AMEMBASSY PARIS 1054
RUEHRO/AMEMBASSY ROME 1693
RUEKDIA/DIA WASHDC//DHO-7//
RHEHNSC/NSC WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC
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RUCPDO/DEPT OF COMMERCE WASHDC
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RUEPGBA/CDR USEUCOM INTEL VAIHINGEN GE//ECJ23-CH/ECJ5M//

C O N F I D E N T I A L HARARE 000666

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AF/S FOR B. NEULING
NSC FOR SENIOR AFRICA DIRECTOR C. COURVILLE
AFR/SA FOR E. LOKEN
COMMERCE FOR BECKY ERKUL

E.O. 12958: DECL: 12/31/2011

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [ZI](#)

SUBJECT: BENNETT'S LAWYER ON ASYLUM CASE

Classified By: Charge d'Affaires, a.i., Eric T. Schultz under Section 1
.4 b/d

¶1. (C) Arnold Tsunga, the attorney for MDC Treasurer Roy Bennett, on May 31 told the CDA that Bennett had appealed the South African Department of Home Affairs' recent rejection of Bennett's asylum application. (Embassy has forwarded the original application and judgment to AF/S.) However, Tsunga noted that the appeal was likely to be adjudicated by another organ within the Home Affairs Department and was therefore likely to also be rejected. He asserted that politics would not permit the Home Affairs Department, which had close ties with its Zimbabwean counterpart, to slap the GOZ by ruling in Bennett's favor.

¶2. (C) Tsunga said that after the appeal to the Home Affairs Department had run its course, he would appeal the rejected claim in South African courts. He maintained that the SAG could not afford the substantial risk that the court would rule in Bennett's favor, an outcome Tsunga considered likely. Accordingly, he expected the SAG to quietly agree to some arrangement permitting Bennett to remain in South Africa before the court ruled.

¶3. (C) Comment: Enormously popular with Zimbabweans at home and abroad, Bennett will continue to be a thorn in the GOZ's side, especially if he is able to establish himself in South Africa and help organize the Zimbabwean diaspora there as a source of political and financial support.
SCHULTZ